

REMARKS

As explained below, the outstanding anticipation rejections based on Troen-Krasnow et al., U.S. Patent 6,442,250, are defective and should be withdrawn. In rejecting claim 10 the Examiner erroneously argued that the '250 Patent disclosed the following:

"communications software for establishing communications, via a computer network, with destination software for transmitting at least a facility identifier, a region identifier, and representation of the audio to be broadcast; and destination software, responsive to a received facility identifier and a received region identifier interacting with a local paging audio system to broadcast received audio into the identifier facility and region (Col. 4, Ins. 26-36; Col. 9, Ins. 9-11)" (Page 2, Sec. 2, Office Action).

Anticipation rejections as the Examiner knows require that the alleged anticipating prior art document disclose exactly the claimed structure as claimed. Neither Col. 4, Ins. 26-36 nor Col.9, Ins. 9-11 of the '250 patent disclose the following limitations from claim 10:

"communication software for establishing communications, via a computer network, with destination software for transmitting at least a facility identifier, a region identifier, and a representation of the audio to be broadcast; and

destination software, responsive to a received facility identifier and a received region identifier for interacting with a local paging audio system to broadcast received audio into the identified facility and region." (Pending Claim 10 and dependent claims 11-17, 19)

Unlike the claimed structure the portions of the disclosure of the '250 patent noted by the Examiner in the above quote state the following:

"The subscriber equipment may communicate messages to the message recipient equipment through network 130 and/or PTN 140. Network 130 may include any network that connects various data processing and communication devices together,, such as the Internet, a wide area network (WAN), a local area

network (LAN), an intranet, or a similar network PTN 140 may include any public telecommunications network, such as the public switched telephone network (PSTN), that receives, processors, and transmits voice or data through various transmissions media.

Message transmission unit 270 may then transmit the message to all message recipients within the group (step 550)." (Col. 4, lns. 26-36; Col. 9, lns. 9-11 '250 patent)

As the above paragraphs make clear the disclosure of the '250 patent does not anticipate at least:

"communications software...for transmitting at least a facility identifier, a region identifier, and representation of the audio to be broadcast...destination software, responsive to a received facility identifier and a received region identifier for interacting with a local paging audio system to broadcast the received audio to the identified facility and region." (Independent claim 10, emphasis added)

An anticipation rejection is defective where the alleged anticipating disclosure does not disclose the same structure as claimed. Nothing whatsoever about the disclosure of the '250 patent relates to "interacting with a local paging audio system to broadcast received audio in to the identified facility and region". For at least the above reasons, the disclosure of the '250 patent does not anticipate any of claim 10 and its associated dependent claims.

Additionally, the disclosure of the '250 patent does not anticipate claim 11. In addition to the limitations of claim 10, claim 11 requires:

"graphical user interface software which presents available facilities and regions for selection."

Col. 4, lns. 8-25 of '250 patent (cited in support of this rejection) do not disclose the structure of claim 11 including the above quoted limitation. Col. 4, lns. 8-25 state:

"The subscriber equipment may include data device 110, voice device 115, and message. Data device 110 may include any computer-like data

communication device, such as a personal computer, a laptop computer, a handheld computer, or any other fixed or mobile device that can input, process, output, and/or display data and connect with network 130. Voice device 115 may include any device that can receive, process, and output voice data, such as a plain old telephone system (POTS) telephone, an analog display services interface (ADSI) telephone, an integrated services digital network (ISDN) telephone, a personal communications services (PCS) wireless telephone, a PCS mobile telephone, or other analog/digital wireless or wireline communication devices. Message device 120 may include any device that can transmit and/or receive text messages through a wireless medium, such as a two-way pager or a personal digital assistant (PDA) that can both transmit and receive data through a public telecommunications network, such as PTN 140."

That text clearly does not disclose the limitation of claim 11 which includes "graphical user interface software which graphically presents available facilities and regions for selection." Claims 12 and 13 are allowable for at least the same reasons that claim 11 is allowable.

While claims 12 and 13 were rejected as obvious and unpatentable over the '250 patent in view of Kim et al. and further in view of Dorenbosch et al. Both claims 12 and 13 depend from claim 11. In view of the fact, as described above, that claim 11 is not anticipated by '250 patent and in view of the fact that deficiency is not corrected by either Kim et al. or Dorenbosch et al. those claims are also allowable.

Claim 14 and its dependent claim 15 are also not anticipated. Claim 14 (now rewritten in independent form) adds to the limitations of claim 10:

"software to control a local paging system in response to receive facility and region identifiers." (Claim 14, Claim 15)

The noted text of the '250 patent namely Col. 4, lns. 26-36 and Col. 9, lns. 9-11 quoted above clearly do not disclose the structure of the above noted limitations. Hence, neither claim 14 nor claim 15 are anticipated. The rejection of those claims is defective for at least the above reasons and should be withdrawn. Dependent claims 16 and 17 depend from claim 10 and are allowable for at least the reason claim 10 is allowable.

Rejected claim 19 adds the following limitation not disclosed by the '250 patent:

"second destination software responsive to a received facility identifier and a received region identifier for interacting with a local paging audio system to broadcast received audio into the identified facility and region." (Pending claim 19)

The quoted text, Col. 5, lns. 10-15 of the '250 patent states the following:

"A single message broadcast unit 150, set of subscriber equipment, and set of message recipient equipment have been shown in Fig. 1 for simplicity. It will be appreciated that a typical network 100 might include multiple message broadcast units 150, additional subscriber equipment, and additional message recipient equipment."

Clearly the above text does not disclose the claimed "software responsive to a received facility identifier and a received region identifier for interacting with a local paging audio system to broadcast received audio into the identified facility and region." (Pending claim 19). The '250 patent, as noted above, simply refers to replicating the type of disclosed equipment shown currently in Fig. 1. Such does not anticipate the claimed structure.

In the Office Action newly added claims 25-32 were summarily rejected as anticipated by the disclosure of the '250 patent with no explanation as to why an anticipation rejection was proper in the present instance. For example, claim 25 includes the following limitation which is not disclosed in the '250 patent:

"multi-zone paging systems at selected locations, the location and destination selecting information including zone specifiers to couple the real-time audio to at least one transducer in a specified zone of a selected paging system."
(Claim 25)

Claim 26 which depends on claim 25 is allowable for at least the same reasons as is claim 25. Further, it adds the following additional limitation not disclosed by the '250 patent:

"monitoring circuitry located at least at selected paging systems to generate operational status feedback information be coupled to the control circuitry." (Pending claim 26)

Claim 28, which depends from claim 26 adds the following limitation not disclosed by the '250 patent:

"software for presenting graphical representations of the operational status feedback information local to the input audio transducer." (Pending claim 28)

Further, claim 27 which has been rejected as anticipated, which depends from claim 1 adds the following limitation not disclosed by the '250 patent:

"software for presenting graphical representations of the operational status feedback information local to the input audio transducer." (Claim 27)

As a general matter and in further support of the allowability of various of the pending claims we note that the disclosure of the '250 patent is completely silent as to the types of graphical displays provided in any of the subject devices or systems disclosed therein. Hence, claims which require "graphical representations of the operational status feedback information local to the input audio transducer" as for example claims 27 and 28 noted above, clearly cannot be anticipated by the '250 patent.

Independent claim 29 and dependent claim 30-32 all of which depend directly or indirectly from claim 29 are allowable and not anticipated by the disclosure of the '250 patent in that each of those claims requires the following unmet limitation:

"each paging system including circuitry for selecting at least one of a plurality of zones, each zone including of at least audio output devices, each paging system also including an interfacing to a computer network for bi-directional communications of at least audio messages with a displaced, common source." (Claims 29-32)

In the outstanding Office Action the Examiner did not indicate where in the '250 patent the above noted limitation was disclosed. Hence, for at least the above reasons all of claims 29-32 are allowable.

Further in the outstanding Office Action the Examiner responded to Applicants' prior argument pertaining to allowability as follows:

"Regarding applicant argument on pages 7-8 that Troen-Krasnow et al. doed not disclose a system to "control and audio output via local paging audio system" [sic] nor "a plurality spaced apart paging interfaces". Accordingly, the Examiner respectfully disagrees with the applicant argument. Troen-Krasnow et al. teaches a message broadcast system (i.e., paging system) for broadcasting messages to groups of recipients having plural types of interface devices (see Fig. 1, Col. 4). This clearly read on applicant limitation as claimed." [sic] (Page 7, Sec. 6 Office Action)

It is submitted that the fact that Troen-Krasnow et al. may teach a message broadcast system as argued by the Examiner does not address whether or not Troen-Krasnow anticipates the specific wording of the various pending claims as argued by the Examiner. The standard for anticipation requires that each limitation of the respective claim be disclosed as claimed in the alleged anticipating prior art document. Such is not the case here for the above reasons.

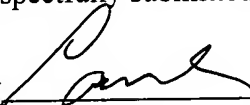
All of the pending claims are allowable. Claim 10 has been amended to correct several spelling errors. Allowance of the application is respectfully requested.

Applicants' undersigned attorney will shortly contact the Examiner to schedule an interview to discuss the outstanding Office Action, the prior art and the pending claims.

Respectfully submitted,

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By



Paul M. Vargo
Reg. No. 29,116
WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone: (312) 655-1500
Fax: (312) 655-1501